

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

BETTYE JOHNS

PLAINTIFF

V.

CIVIL ACTION NO. 1:13-CV-00058-SA-DAS

WYETH LLC, et al

DEFENDANTS

ORDER OF DISMISSAL

This cause is before the Court on the submission of Defendants Wyeth LLC, Wyeth Pharmaceuticals Inc., Pfizer Inc., Schwarz Pharma, Inc. n/k/a UCB, Inc., Alaven Pharmaceutical LLC, and Baxter Healthcare Corporation's Proposed Order of Dismissal. On April 22, 2013, this Court entered an Order granting the motion to withdraw as counsel filed by Plaintiff's counsel [66]. Plaintiff was ordered to have new counsel enter an appearance or to file a notice of her intent to proceed *pro se* within sixty (60) days. The Order specifically warned that failure to comply with the Order would result in the dismissal of the action for failure to prosecute and/or for failure to comply with the Order. Plaintiff's deadline to respond to the Order was June 24, 2013¹, but Plaintiff has not responded to the Order.

In light of Plaintiff's failure to respond to the Court's Order dated April 22, 2013, per Fed. R. Civ. P. 41(b), this action is hereby **DISMISSED** without prejudice for failure to prosecute.

SO ORDERED, this the 3rd day of October, 2013.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE

¹ The actual deadline was June 22, 2013, but June 22 fell on a Saturday. Accordingly, the deadline was carried over until Monday, June 24, 2013.